

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION**

CONFERENCE COMMITTEE ON SB 54

Call to Order: By **CHAIRMAN DUANE GRIMES**, on March 22, 1999 at
12:05 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Duane Grimes, Chairman (R)
Sen. Mike Halligan (D)
Sen. Walter McNutt (R)
Rep. Loren Soft (R)
Rep. Joan Hurdle (D)
Rep. Chris Ahner (R)

Members Excused: None.

Members Absent: None.

Staff Present: Gilda Clancy, Committee Secretary
Valencia Lane, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: SB 54

EXECUTIVE ACTION ON SB 54

Motion: SEN. HALLIGAN moved that THE AMENDMENTS BE ADOPTED.

Discussion:

Matthew Anderson-Robertson, Legal Counsel, Department of Corrections, explained they looked at the language in this bill and came up with a much shorter proposal which essentially allows the youth court to continue to use a consent adjustment without petition, but only if the youth court and county attorney agree to permit that. In previous language, a consent adjustment could not be used at all if it was the third offense misdemeanor, whereas if it is a second offense it could.

This will allow if the juvenile commits a felony, the consent adjustment petition cannot be used. It does say if it is a misdemeanor the youth court can, after notification, use the consent petition. The Juvenile Probation Officers will create a standardized form which will allow them to list the current offense, the previous misdemeanor offenses which the juvenile has committed, the proposed sanctions and an approval line signature for both the judge and the county attorney so they are aware of what the juvenile has done. They can then decide what course of action to take with the juvenile. He handed out

EXHIBIT (ccs64sb0054a01) and **EXHIBIT (ccs64sb0054a02)**.

SEN. HALLIGAN stated we are trying to address members who felt this bill should have 'sideboards' on it so that probation officers are not misusing their discretion. He has had situations in district court from the existing law, where the crimes are listed for these juveniles as curfew violation, smoking, and alcohol, which are all misdemeanors. These should not be tried in district court. They should be taken care of using consent adjustment in an informal setting. We need to treat kids this way. The felony issue is taken care of separately.

CHAIRMAN GRIMES asked who drafted the amendments.

SEN. HALLIGAN responded **Matthew Anderson-Robertson** after they had talked about this to clean up the existing language.

CHAIRMAN GRIMES asked **Mr. Robertson** if he had shown then to any legislative staffer.

Mr. Robertson said he gave them to Valencia Lane.

Vote: Motion that **THE AMENDMENTS BE ADOPTED** carried unanimously.

ADJOURNMENT

Adjournment: 12:11 P.M.

SEN. DUANE GRIMES, Chairman

Gilda Clancy, Secretary

DG/GC

EXHIBIT (ccs64sb0054aad)